



SET THEM FREE

**CALL FOR THE RELEASE OF
9 UNJUSTLY IMPRISONED
HUMAN RIGHTS DEFENDERS**



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AZIMJAN ASKAROV, KYRGYZSTAN

Sentenced to life imprisonment after an unfair trial for documenting interethnic violence

ILHAM TOHTI, CHINA

Sentenced to life imprisonment for defending the political and cultural rights of the Uyghur people

ABDULHADI AL-KHAWAJA, BAHRAIN

Sentenced to life imprisonment for demanding democracy and human rights in Bahrain

DAWIT ISAAK, ERITREA

Held for 16 years without charge in a secret prison for publishing open letters calling for reform

NARGES MOHAMMADI, IRAN

Sentenced to 17 years in prison for campaigning for peace, human rights and the abolition of the death penalty

ATENA DAEMI, IRAN

Sentenced to 14 years in prison (reduced to seven on appeal) after a trial lasting 15 minutes for campaigning against the death penalty and supporting the families of political prisoners

GERMAIN RUKUKI, BURUNDI

Sentenced to 32 years in prison for campaigning for an end to torture and the death penalty

DOMINGA GONZÁLEZ MARTÍNEZ, MEXICO

Sentenced to 50 years in prison for defending the right of her people to water

TRAN THI NGA, VIETNAM

Sentenced to 9 years in prison plus 5 years house arrest for defending the rights of migrant workers and women's rights

Set them free

FRONT LINE DEFENDERS IS PROFOUNDLY HONOURED TO BE NAMED AS ONE OF THE four winners of the **2018 United Nations Human Rights Prize**. We congratulate the three other winners:

Ms. Rebeca Gyumi (Tanzania), Ms. Joênia Wapichana (Joênia Batista de Carvalho) (Brazil) and the late Ms. Asma Jahangir (Pakistan), a courageous and dedicated human rights defender who was an inspiration to many.

Front Line Defenders dedicates this prize to human rights defenders at risk around the world who struggle every day to advance and defend the rights of their communities. We are inspired on a daily basis by their conviction, energy and tenacity in standing up to injustice and oppression.

It is a privilege for all of us in Front Line Defenders to work with some of the most courageous people in the world, whose idea of development does not depend on the ruthless exploitation of the natural and human resources of the planet or the elimination of those who challenge injustice or inequality.

But now the struggle for human rights for all is entering a critical period, as the gains made over the last 70 years are threatened by the rising tides of populist authoritarianism, corruption and extremism. It seems we have entered a new age of repression.

Eleanor Roosevelt wrote, "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I have lived through this horror. I can take the next thing that comes along.'" Human rights defenders face fear every day and find ways through it.

In accepting the UN Prize for Human Rights we remember the important role that our former colleague **Abdulhadi Al-Khawaja** played in developing our support for human rights defenders across the Middle East and North Africa. Much of our work to support human rights defenders around the world today is based on his pioneering work. Abdulhadi was arrested and tortured during the crackdown on pro-democracy protests in Bahrain in 2011, subjected to a sham trial, and sentenced to life imprisonment.

Too many other human rights defenders also languish in prison because of their selfless and legitimate activities. **Azimjan Askarov** is serving a life sentence in Kyrgyzstan because of his peaceful advocacy for human rights. **Ilham Tohti** is serving life imprisonment in China because he defended the political and cultural rights of the Uyghur people. **Dawit Isaak** set up the first independent newspaper in post-independence Eritrea. When he published articles critical of authoritarian rule, he was seized and taken to a secret prison where he has been held since, for 17 years, without charge or trial. **Atena Daemi and Narges Mohammadi** are both serving long prison terms in Iran because of their work against the death penalty and their support for the families of political prisoners. **Germain Rukuki** worked to end torture and the death penalty

in Burundi and in April 2018 he was sentenced to 32 years in prison on charges of “rebellion” and “breach of state security”. In 2017 indigenous defender **Dominga González Martínez** was sentenced to 50 years in prison in Mexico because she defended the water rights of her community. She had already spent 10 years in pre-trial detention. In Vietnam, **Tran Thi Nga** is serving a nine year prison term, to be followed by five years house arrest because of her work defending land and labour rights.

What all these cases have in common is that the power of the state has been employed to silence courageous human rights defenders who articulate visions of their societies – and the world – in which fundamental freedoms and rights must be enjoyed equally by all citizens, regardless of ethnicity, religious belief, political ideology, wealth or political power.

As we celebrate the 70th anniversary of the United Nations Declaration on Human Rights and the 20th anniversary of the UN Declaration on Human Rights Defenders, we pay tribute to all those who work at the local and national level to make these basic rights a reality for all.

Front Line Defenders calls on governments to mark these anniversaries by freeing all human rights defenders currently in prison, including those named in this report, and to put an end to the threats, harassment, defamation, criminalisation, torture and killings which human rights defenders face in too many countries.

Just recently a human rights defender in Guatemala whose community has been evicted from their land four times, and who faces constant harassment and threats, said after the most recent eviction, “They have taken everything from us – even our fear”.



Andrew Anderson
Executive Director
Front Line Defenders

AZIMJAN ASKAROV – KYRGYZSTAN

SENTENCED TO LIFE IMPRISONMENT AFTER AN UNFAIR TRIAL FOR DOCUMENTING INTERETHNIC VIOLENCE

AZIMJAN ASKAROV IS A PROMINENT HUMAN RIGHTS DEFENDER in Kyrgyzstan who worked for twenty five years documenting human rights abuses in the country before his arrest and imprisonment in 2010. In 2002 he founded the human rights organisation *Vozdukh* (Air) which focused on investigating cases of police abuse, ill-treatment of prisoners, and poor prison conditions in Kyrgyzstan, making him a target of those authorities he criticised. Following ethnic violence in Kyrgyzstan in 2010, in which a policeman was killed, Azimjan was charged with several offences, including killing the policeman, and sentenced to life in prison.

The Kyrgyz Human Rights Ombudsman Mr Tursunbek Akun, who carried out a parallel investigation, said that there was no evidence to link Azimjan Askarov to the crime – and that the charges against him were clearly politically motivated.

In May 2010 tensions between ethnic Kyrgyz and ethnic Uzbeks (of whom Azimjan is one) in the southern part of the country turned into violent clashes during the wider Kyrgyz Revolution of 2010. Azimjan had been collecting information on who had been killed or injured during the clashes in the village of Bazar-Korgan. According to the Jalalabad-based non-governmental organisation, *Spravedlivost* (Justice), Azimjan's data included video footage of the violence which showed police officers failing to intervene, a fact of which the police were aware. On 15 June Azimjan was arrested in Bazar-Korgan in connection with the death of a police officer during violence in the area which had led to the deaths of the officer and up to twenty three civilians. Along with his documentation of police responses to the violence, the fact that he is an ethnic Uzbek and that he had previously taken cases against corrupt police officers was part of the motivation for his arrest.

It is also worth noting that out of 32 criminal cases relating to the violence, there was only one case where an ethnic Kyrgyz was tried.

At his trial on September 6th in the local town of Nooken, Azimjan was charged with several offences under the Criminal Code of Kyrgyzstan including: hostage taking, illegal acquisition and storage of ammunition, storage of

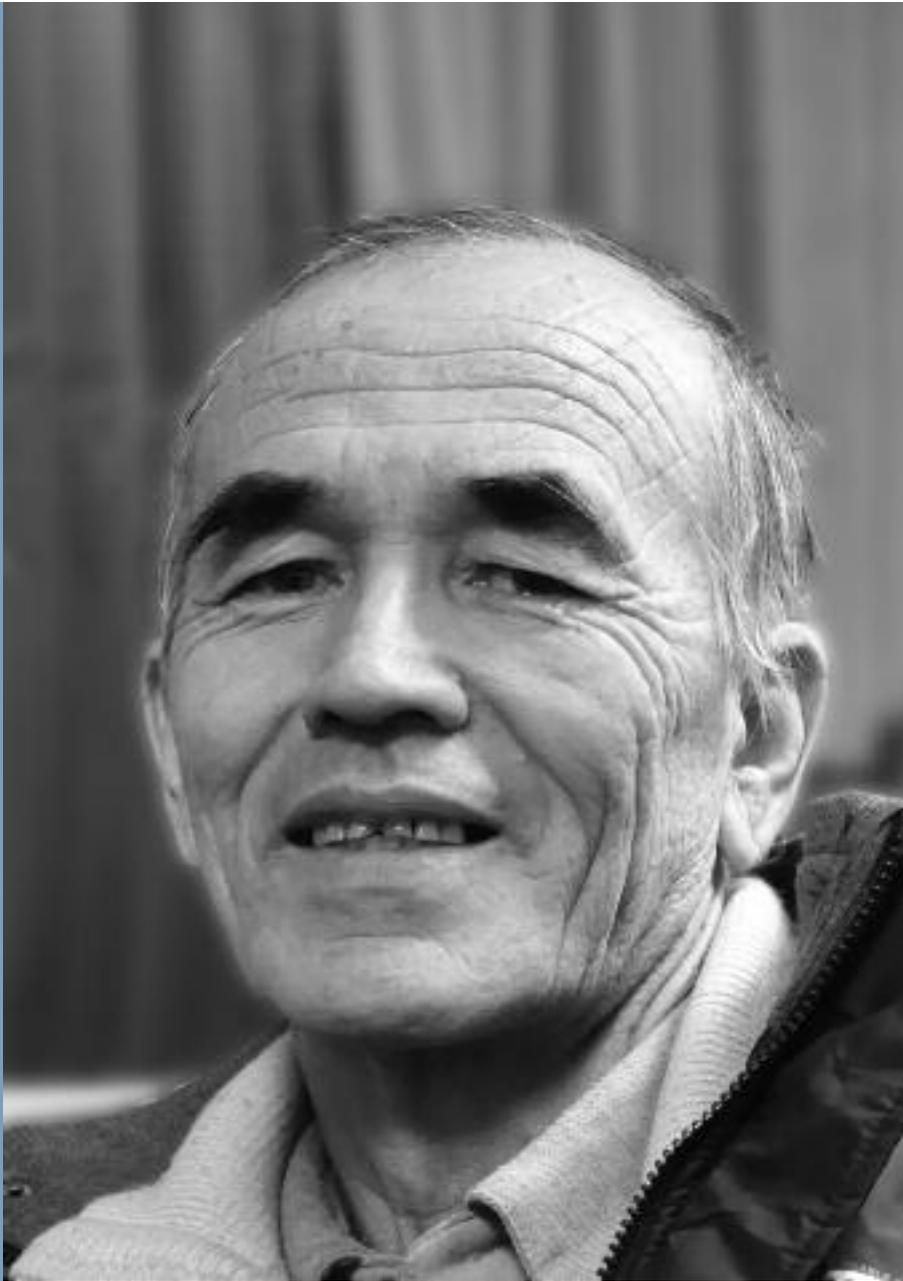
extremist information, inciting ethnic hatred, rioting, participation in murder, and participation in the murder of a policeman. No credible evidence was presented against him.

Azimjan's lawyer, Nurbeck Tokaktunov, was denied access to Azimjan before the trial and Azimjan was refused permission to see his defence in private for approximately two months. In addition to being attacked when attempting to visit Azimjan, Tokaktunov received a number of death threats. Between December 2012 and February 2013 Azimjan's lawyers travelled to the village of Bazar-Korgan, where the violence had taken place. There they found seventeen independent witnesses whose testimonies proved the innocence of Azimjan.

However, as a result of the threat of violence, the defence felt unable to bring witnesses to the trial. At the trial, where Azimjan was tried with seven other human rights defenders, members of the public threatened the defendants and their lawyers, as well as directing questions from the floor to the defendants without the authorisation of the Judge. Azimjan was tortured while in custody and at one point appeared in court showing signs of having been badly beaten. Azimjan also gave evidence of having seen other prisoners being tortured to force them to give evidence against him. The allegations of torture were never investigated.

The sentence of life in prison was upheld on appeal, including by the Supreme Court.

On 21 April 2016, the UN Human Rights Committee (UNHRC) called on the Kyrgyz authorities to release Azimjan and to quash his conviction. According to the UNHRC statement, Azimjan was arbitrarily detained, held in inhumane conditions, tortured, mistreated, and unable to get proper treatment for serious medical conditions. Authorities also failed to carry out an immediate, effective and impartial investigation into Azimjan's allegations of torture. Both the OSCE's Office for Democratic Institutions and Human Rights and the European Union's External Action service have also called repeatedly for Azimjan's release.



AZIMJAN IS A MAN OF GREAT DIGNITY AND COURAGE AND IT IS VERY SAD THAT HE REMAINS IN PRISON SIMPLY BECAUSE POLITICIANS ARE SCARED TO ADMIT THAT THE JUSTICE SYSTEM FAILED HIM.

ILHAM TOHTI – CHINA

SERVING LIFE IMPRISONMENT FOR DEFENDING THE POLITICAL AND CULTURAL RIGHTS OF THE UYGHUR PEOPLE

A RENOWNED UYGHUR INTELLECTUAL AND HUMAN RIGHTS DEFENDER, Ilham Tohti was an economist at Central University for Nationalities in Beijing prior to his arrest in 2014. Rejecting separatism and violence, he worked for over two decades to build understanding between Chinese Han and Uyghurs, a mainly Muslim Turkic ethnic group residing primarily in the Xinjiang Uyghur Autonomous Region (XUAR). Despite Xinjiang's nominal status as an "autonomous region," the Chinese state has exerted increasingly draconian control over the region and its inhabitants. Over the past decade, Chinese authorities have expanded a campaign to disrupt the exercise of all aspects of Muslim culture, including religion, language, dress, hairstyle, and public assembly. In 2018, reports emerged documenting the incarceration of over one million Uyghur citizens detained in re-education centres throughout the region.

Through his writing and lectures, Ilham defended the political and cultural rights of the Uyghur people and highlighted government policies that limit the use of the Uyghur language, prevent Muslim religious practice, block access to employment, and encourage Han migration into the region. In 2006, Ilham set up the Uyghur Online website to criticise government policy abusive to Uyghurs and to promote better Uyghur-Han relations.

When violence erupted in Xinjiang in 2009, the human rights defender posted information online about Uyghurs who had been detained, killed, or disappeared during and after protest activities. Chinese authorities soon alleged that Ilham and his website had played a role in instigating the conflict. The website was shut down, and Ilham was detained for several

weeks. In the following years, he was placed under travel ban and house arrest for various periods.

In January 2014, following a raid on his home by over 20 police officers, Ilham was detained yet again. One month later, this detention was upgraded to formal arrest on charges of "separatism" despite the defender's extensive work attempting to heal societal rifts between Uyghur and Han citizens. On 23 September 2014, Ilham was sentenced to life imprisonment on charges of separatism by the Urumqi People's Intermediate Court after a two day trial.

Ilham is now serving this sentence in No.1 Prison in Urumqi, Xinjiang's capital city. During his detention, the defender was shackled and kept in solitary confinement, denied family visits and access to legal counsel, deprived of food, and suffered intimidation by prison officers. Ilham's wife, Guzelnur, has not been able to visit her husband for two years.

In July 2014 the United Nations Working Group on Arbitrary Detention ruled that Ilham's arrest was arbitrary. The group called for his release and that he should be compensated for the time spent in prison.

On 10 October 2016, Ilham was granted the Martin Ennals Human Rights Award. Upon his nomination as a finalist for the Martin Ennals Award his daughter, Jewher, stated: "My father Ilham Tohti has used only one weapon in his struggle for the basic rights of the Uyghurs of Xinjiang: Words; spoken, written, distributed, and posted. This is all he has ever had at his disposal, and all that he has ever needed. And this is what China found so threatening. A person like him doesn't deserve to be in prison for even a day."



“I WILL DEVOTE MYSELF TO XINJIANG’S SOCIAL, ECONOMIC AND CULTURAL DEVELOPMENT, TO INTERETHNIC UNDERSTANDING, AND TO FINDING THE WAY TO ACHIEVE HARMONIOUS ETHNIC COEXISTENCE AMIDST THE SOCIAL TRANSFORMATION TODAY”.

ATENA DAEMI – IRAN

SENTENCED TO 14 YEARS IN PRISON FOR CAMPAIGNING AGAINST THE DEATH PENALTY AND SUPPORTING THE FAMILIES OF POLITICAL PRISONERS

ATENA DAEMI, A 30-YEAR-OLD WOMAN HUMAN RIGHTS DEFENDER and anti-death penalty activist, has been imprisoned in Iran since November 2016, after being convicted of fabricated charges that criminalised her human rights activities. Atena was first arrested on 21 October 2014, and held for several months in Evin prison, including 51 days in solitary confinement before being released on bail in February 2015.

Atena was charged with: propaganda against the regime, collusion against the regime on the basis of holding demonstrations in support of the children of Kobane in Syria, opposition to the execution of Reyhaneh Jabbari, insulting the Supreme Leader of Iran, and blasphemy in connection with listening to Iranian rapper Shahin Najafi's protest songs. The case against her was partly based on posts she had made on Facebook. She was denied access to a lawyer during her entire time in detention, even though she was repeatedly interrogated.

On 14 May 2015, a Revolutionary Court in Tehran sentenced Atena to 14 years in prison after an unfair trial lasting only 15 minutes. At an appeal hearing on 28 September, this sentence was reduced to seven years.

Atena was taken into custody to serve her sentence on 26 November 2016 by Revolutionary Guard officials. In a letter written from prison, in December 2016, Atena described how she was beaten and pepper sprayed by the officials during the arrest, after she insisted on being presented with an official arrest warrant. She said that one of her sisters was punched after she had tried to intervene. The letter also said

that the officials blindfolded her and threatened to open new cases against her.

From prison, Atena filed a complaint against the Revolutionary Guards with the Office of the Prosecutor in Evin prison. However, instead of investigating her complaint, the authorities lodged several additional charges against Atena and her two sisters, and summoned them for trial on 23 March 2017. All three sisters were convicted of “insulting public officers on duty” and sentenced to three months and one day in prison. The sentence was suspended for Atena's sisters.

On 8 April 2017, Atena started a hunger strike in protest. Her health quickly deteriorated; she coughed up blood, vomited, and suffered kidney pain as well as severe weight loss. She was transferred to hospital after passing out on 8 May, but was returned to prison the same day without receiving the specialist medical care she needed. Atena ended her hunger strike at the end of May when she and her sisters were acquitted by an appeals court.

In March 2018, Atena and another imprisoned WHRD, Golrokh Ebrahimi Iraee, were transferred to the quarantine section of Shahr-e Rey prison in Varamin, where they were held in brutal conditions. This was apparently punishment for their ongoing protests about the conditions and ill-treatment of prisoners in Evin prison. Following a 35-day hunger strike, during which they were forcibly given IV fluids, Atena and Golrokh were returned to Evin Prison. Throughout her time in prison, Atena has been repeatedly denied appropriate treatment for serious medical problems.



“I AM GRATEFUL TO THOSE WHO WERE KIND TO US IN ANY WAY THEY COULD DESPITE THEIR OWN AGONY AND PAINS IN THAT DARK DUNGEON. I REPEAT THAT I AM HUMBLE BEFORE EACH AND EVERY ONE OF THOSE PRISONERS, EVEN IF THEY WERE FORCED TO SWEAR AT US OR BEAT US!”

ABDULHADI AL-KHAWAJA – BAHRAIN

SENTENCED TO LIFE IMPRISONMENT FOR DEMANDING DEMOCRACY AND HUMAN RIGHTS IN BAHRAIN

ABDULHADI AL-KHAWAJA WAS ARRESTED IN APRIL 2011. He was beaten, tortured and sentenced to life imprisonment in an unfair trial following the April 2011 crackdown on protesters calling for democracy and human rights in Bahrain.

Abdulahdi co-founded and was the first President of the Bahrain Centre for Human Rights, a renowned human rights institution that has served as a model for other such institutions in the Middle East. He previously worked for Amnesty International, and was named 'Activist of the Year' in 2005 by the Arab Programme for Human Rights Activists. From 2008 to 2011, Abdulhadi served as Front Line Defenders Middle East and North Africa Protection Coordinator, supporting human rights defenders. More than 120 HRDs from across the region signed an appeal for his release within days of his arrest.

In February 2011, protests and demonstrations broke out across Bahrain calling for greater political freedom. As part of the government's crackdown on these protests, opposition leaders and leading human rights defenders, including Abdulhadi, were arrested. On 9 April 2011, up to twenty armed and masked policemen broke into the Al-Khawaja family's apartment in the middle of the night. Abdulhadi was dragged down the stairs and was beaten by up to five officers. During this beating he was repeatedly kicked in the head.

As a result of this beating, Abdulhadi required four hours of surgery to repair damage to his face. He spent seven days in hospital, where the surgery left him with permanent damage and metal plates in his face to hold his jaw together. He was then moved to the Al-Qurain Prison where he was put in solitary confinement in a cell measuring 2.5 x 2 metres. Abdulhadi was subjected to physical and mental torture while in detention, including threats of sexual violence, all of which was documented by the Bahrain Independent Commission of Inquiry (BICI).

On 8 May 2011, Abdulhadi was brought by the Military Prosecutor before the National Safety Court to face a trial presided over by a military judge. The trial fell far short of international standards, and did not even meet Bahraini legal standards.

On 22 June 2011, Abdulhadi was sentenced to life imprisonment on charges of "organising and managing a terrorist organisation," "attempts to overthrow the government by force and in liaison with a terrorist organisation working for a foreign country," and the "collection of money for a terrorist group." All of these charges were filed based on emergency legislation that the Bahraini government introduced during the wave of protests earlier in the year. No credible evidence was presented to support any of these charges, and the Bahrain Independent Commission of Inquiry report subsequently conclusively ruled out any foreign involvement in the pro-democracy protests.

On 4 September 2012, Abdulhadi's sentence of life in prison was upheld by the High Criminal Court of Appeal and on 7 January 2013, the Court of Cassation, the highest court in Bahrain, also upheld the decision, thus exhausting his legal avenues for appeal. Commenting on the initial military trials, the spokesperson for then UN High Commissioner for Human Rights Navi Pillay, said that there were "serious concerns that the due process rights of the defendants had not been respected and the trials appeared to bear the marks of political persecution." In its September 2012 decision, the United Nations Working Group on Arbitrary Detention concluded that "Mr. Al-Khawaja's arrest was due to his exercise of the fundamental rights to freedom of expression, peaceful assembly, and association." The Working Group also concluded that throughout Mr Al-Khawaja's arrest, detention, and trial, "the government violated numerous international norms to the right to a fair trial."

Abdulahdi is a citizen of both Denmark and Bahrain and the Danish Ministry of Foreign Affairs has repeatedly asked for him to be allowed to travel to Denmark for medical treatment. On 9 April 2012, UN Secretary General Ban Ki Moon also called for Bahrain to "consider transferring Al-Khawaja to Denmark for medical treatment," but these requests were denied.



“I HAVE NO REGRETS THAT I HAD TO PAY A PRICE FOR MY WORK TO PROMOTE HUMAN RIGHTS. IT IS A SERIOUS BUSINESS TO ADDRESS ISSUES SUCH AS CORRUPTION, INEQUALITY, AND DISCRIMINATION IN ORDER TO PROMOTE THE INTERESTS OF MEMBERS OF THE RULING FAMILY, AND DOCUMENTING ARBITRARY DETENTION AND TORTURE BY THE BRUTAL NATIONAL SECURITY APPARATUS”.

NARGES MOHAMMADI – IRAN

SENTENCED TO 16 YEARS IN PRISON FOR CAMPAIGNING FOR PEACE, HUMAN RIGHTS AND THE ABOLITION OF THE DEATH PENALTY

NARGES MOHAMMADI IS DEPUTY DIRECTOR OF THE DEFENDERS OF HUMAN RIGHTS CENTRE (DHRC). She was also elected President of the Executive Committee of the National Council of Peace in Iran, a broad coalition against war and for the promotion of human rights. She has campaigned for the abolition of the death penalty in Iran, and was awarded the Per Anger Prize by the Swedish Government for her human rights work in 2011.

The DHRC was founded in 2002 by five prominent attorneys, three of whom are currently in prison – Mohammad Seifzadeh, Abdolfattah Soltani and Mohammad Ali Dadkhah. Co-founder and Director of the organisation, Shirin Ebadi, won the Nobel Prize for Peace in 2003, and currently lives in exile. As well as being Deputy Director, Narges also served as the head of its Committee on Women's Rights. In 2008, she was elected President of the newly established National Council for Peace, a group of 83 influential Iranian figures founded by Shirin Ebadi. In 2009, Narges won the Alexander Langer Award for her campaign to end the death penalty for juvenile offenders.

Narges was first arrested in 1998 for her criticism of the Iranian government and spent a year in prison. In April 2010, she was summoned to the Islamic Revolutionary Court because of her membership of the DHRC. She was briefly released on \$50,000 bail but re-arrested several days later and detained at Evin Prison. Narges's health declined while in custody, and she developed an epilepsy-like disease causing her to periodically lose muscle control. After a month, she was released and allowed to go to hospital.

In July 2011, Narges was prosecuted again, and found guilty of "acting against national security, membership of the DHRC and propaganda against the regime". In September that year, she was sentenced to 11 years' imprisonment, and was "given an unprecedented 23-page judgment issued by the court in which they repeatedly likened my human rights activities to attempts to topple the regime." In March 2012, the sentence was upheld by an appeals court, though it was reduced to six years. On 26 April, she was arrested to begin her sentence but after international protests, she was released on 31 July 2012.

On 21 October 2014, Narges made a speech, which rapidly went viral, demanding an investigation into the death under torture of blogger Sattar Behesti. She was immediately summoned to appear before the Evin Prison Court.

On 18 May 2016, Branch 15 of the Revolutionary Court sentenced Narges to 16 years' imprisonment on several counts including "membership in the [now banned] Step by Step to Stop the Death Penalty" group, "taking part in assembly and collusion against national security" and "committing propaganda against the state." Zeid Ra'ad Al Hussein, then UN High Commissioner for Human Rights, condemned the judgement saying, "We are appalled by the sentencing of a prominent Iranian anti-death penalty campaigner, Narges Mohammadi, to 16 years' imprisonment on charges that stem from her courageous human rights work."



“HOW MANY TIMES DO WE HAVE TO HEAR THAT INTERROGATORS THREATENED TO KEEP SUSPECTS IN DETENTION UNTIL THEY ‘CONFESSED?’ HOW MANY PRISONERS HAVE TO BE HOSPITALISED AND SUFFER INCURABLE DISEASES BEFORE SOMEONE SHOWS MERCY? HOW MANY PRISONERS HAVE TO DISCLOSE THAT THEIR CONVICTIONS WERE BASED ON FORCED CONFESSIONS EXTRACTED DURING SOLITARY CONFINEMENT BEFORE OFFICIALS AND THE MEDIA DISCUSS THIS FORM OF TORTURE?”

DAWIT ISAAC – ERITREA

HELD FOR 17 YEARS WITHOUT CHARGE IN A SECRET PRISON FOR PUBLISHING OPEN LETTERS CALLING FOR REFORM

DAWIT ISAAK IS A SWEDISH-ERITREAN JOURNALIST and human rights defender who has been held incommunicado, without charge or trial, in Eritrea since 2001. His whereabouts are unconfirmed, but it is believed that since 2008 he has been held in the maximum-security Eiraeiro prison, outside the capital, Asmara. In 1993 Dawit returned to his native Eritrea when the country finally gained its independence and helped launch Setit, the first independent newspaper in Eritrea. He was an outspoken critic of authoritarian rule in the country following independence.

In 2001, a group of politicians, known as the “G15,” published a series of open letters in which they criticised President Isaias Afwerki and called for democratic reforms. Dawit reported on these letters in his newspaper, as his motto was “If you have the opportunity to write, do it.” The government response was immediate. Isaak was arrested along with ten other journalists, and eight independent newspapers were shut down. To this day, Dawit and at least five other print journalists, as well as all of the politicians, remain detained incommunicado without charge or trial. He has had no contact with relatives, no access to Swedish consular officials, and no recourse to a lawyer.

In 2003, Dawit was awarded the Reporters Without Borders Freedom of the Press Prize and in 2011 he received the Golden Pen of Freedom Award from the World Association of Newspapers. In 2017, Dawit received the 2017 UNESCO/Guillermo Cano World Press Freedom Prize which “honours a person, organisation or institution that has made an outstanding contribution to the defence and, or promotion of press freedom anywhere in the world, and especially when this has been achieved in the face of danger.”

Meanwhile, despite increased engagement with the EU and the signing of a development aid agreement worth €200 million, which theoretically includes human rights conditions, there has been no sign of any improvement on the ground.

According to the 2015 report of the United Nations Commission of Inquiry into the Situation of Human Rights in Eritrea “the initial promises of democracy and rule of law, incarnated in the never-implemented Constitution of 1997, were progressively suppressed and then extinguished by the government. It details how the government has created and sustained repressive systems to control, silence and isolate individuals in the country, depriving them of their fundamental freedoms.

In her June 2017 report to the Human Rights Council, the outgoing Special Rapporteur on the situation of human rights in Eritrea (Ms Sheila Keetharuth) stated, “I regret to report that, as of now, the government has made no effort to end ongoing human rights violations, which the Commission of Inquiry on Human Rights in Eritrea described as amounting to crimes against humanity.” She also stressed that “the time for Eritrea to take bold action for human rights protection is long overdue, and the government has not delivered on any of its promises.” In meetings with government representatives since early 2013, the Special Rapporteur repeatedly asked the Eritrean authorities to confirm whether or not the journalists and the former government members are still alive. She did not receive any response to these questions.

Dawit’s case is particularly urgent because of concerns about his health. He suffers from diabetes and prison conditions in Eritrea are grim, with poor sanitation and no adequate medical care. Seven of Dawit’s colleagues have reportedly died in captivity due to the harsh conditions and ill-treatment. It is not known if Dawit is still alive; the last ‘proof of life’ was in 2010, when a former prison guard reported that he was being kept in conditions exposed to ‘terrible heat’. The Swedish government has repeatedly called for Dawit’s release and in July 2017 the European Parliament passed a resolution calling for his release. Dawit’s wife and three children currently live in exile in Sweden.



“EACH DAY AND EVERY MINUTE FOR DAWIT IS A SEVERE VIOLATION OF HIS HUMAN RIGHTS. NO ONE DESERVES THIS KIND OF TREATMENT. EVERY DAY I AM REMINDED OF THE VITAL SIGNIFICANCE OF FREEDOM – SOMETHING THAT WE USUALLY JUST TAKE FOR GRANTED. I OFTEN WONDER WHAT DAWIT IS DOING. IS HE STILL SANE AFTER ALL THESE YEARS OF UNCERTAINTY? WHERE DOES HE GET THE STRENGTH TO PERSEVERE? AT THE MOMENT THERE ARE NO ANSWERS TO THESE QUESTIONS, BUT UNTIL WE GET THEM IT IS OUR DUTY TO SUPPORT HIM AND TO SPREAD INFORMATION ABOUT DAWIT’S TRAGIC FATE,” ESAYAS ISAAK, DAWIT’S BROTHER.

DOMINGA GONZÁLEZ MARTÍNEZ – MEXICO

SENTENCED TO 50 YEARS IN PRISON FOR DEFENDING THE RIGHT OF HER PEOPLE TO WATER

On 27 November 2017, indigenous rights defender Dominga González Martínez was sentenced to 50 years in prison; her five co-defendants, all prominent members of the “Comisión para la Defensa del Agua”, received the same sentence. They were accused of taking part in the killing of Alejandro Issak Basso during a dispute between the community of San Pedro Tlanixco and commercial flower growers from the town of Villa Guerrero, over access to water from the Río Texcaltenco. Dominga is an indigenous Nuhua woman who has been a prominent member of the “Comisariado Ejidal de San Pedro Tlanixco” which has worked against the privatisation of the water supply which is vital to their community.

Witnesses saw Alejandro Issak Basso accidentally fall to his death after slipping. Nonetheless, a case against Dominga and her co-defendants went forward and was prosecuted without any credible evidence against them. Dominga and her co-defendants are human rights defenders innocent of the charges against them and the trial was a miscarriage of justice.

Since 1980, when the authorities gave the concession for the river, which rises in the town of San Pedro Tlanixco, to the municipality of Villa Guerrero, there have been water shortages in the area due to the diversion of water by commercial flower growers. As a result, the community has frequently been left without water, sometimes for weeks at a time. In 2002, CONAGUA (the National Water Commission) gave the water rights to the Río Texcaltenco to the town of Villa Guerrero, but gave the rights to the water from four springs to the local community. Several years later the community was told that these rights were no longer valid and that these water rights now also belonged to Villa Guerrero. This has been the basis of an ongoing dispute between the community and the flower growers of Villa Guerrero. While the commercial flower growers benefited from high-level political support, the local community was not properly consulted.

On 1 April 2003, a group of men from Villa Guerrero, led by Alejandro Issak Basso, were seen coming up along a very steep section of the river bank, shouting insults and using racist language to accuse the community of polluting the water. Women in the community rang the church bells to summon the community and in the ensuing confusion Alejandro Issak Basso slipped and fell into a ravine and died. There was no proper investigation into the incident by the authorities who simply accepted the claim by the men from Villa Guerrero that Issak Barro had been killed by members of the community.

Instead of carrying out an impartial investigation, the authorities initiated a series of raids and round ups, often at night, to intimidate the community. In the following weeks, three of the water

protectors were arrested: Rómulo Arias Mireles, Teófilo Pérez González and Pedro Sánchez Berriozabal. Two other men, Lorenzo Sánchez Berriozabal and Marco Antonio Pérez González, were arrested in 2006 and finally, Dominga González Martínez was violently taken from her home on 9 July, 2007.

From the beginning, the investigation was riddled with inconsistencies. The trial was also marred by a reliance on the evidence of “witnesses” who were not present at the time of the incident, and the acceptance of evidence that was both contradictory and implausible. One prosecution witness later admitted that the prosecution witnesses were coached by the sister of Alejandro Issak Basso about who to accuse. A teacher named as having taken part in the attack was in another village giving classes at the time of the incident, while another accused person had been dead for over a year. Dominga herself, was in the church with two other women, but the judge simply ignored this evidence. During the first four years of the investigation there was no mention of any woman being involved in the incident. Then, in 2007, one witness mentioned having seen a small dark haired indigenous woman in the group allegedly responsible for Issak Basso’s death. This was the only “evidence” connecting Dominga to the alleged crime. An appeal was submitted on 28 May 2018, and a judgement must be delivered within 12 months.

At the time of sentencing, Dominga had been in preventive detention for 10 years. Mr. Jan Jarab, the representative of the Office of the United Nations High Commissioner for Human Rights in Mexico has expressed his concern at the “grave violations of the right to due process evident in the case”. In his statement at the time of the appeal, Mr. Jarab stated that this was an “opportunity for the state of Mexico to rectify a grave injustice that had resulted in six people spending more than 10 years in prison”.

In a joint report issued on 4 July 2018, the UN Working Group on Arbitrary Detention, the Special Rapporteur on human rights and the environment, the Special Rapporteur on freedom of expression, the Special Rapporteur on freedom of association, the Special Rapporteur on the disposal of hazardous substances and waste, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the rights of indigenous peoples, the Special Rapporteur on contemporary forms of racism, discrimination and xenophobia and the Special Rapporteur on the right to clean drinking water and sanitation all stated that: “The judicial process relating to the aforementioned case lacked the basic elements of due process and the sentence of 50 years in prison for the crimes of qualified homicide and illegal deprivation of liberty were intended to criminalise human rights defenders involved in the defense of the right to water.”



“I AM ASKING YOU TO HELP GET ME OUT OF HERE. WHAT THEY ARE DOING TO ME IS AN INJUSTICE. I DIDN'T KILL ANYBODY. I WAS JUST DEFENDING MY PEOPLE'S RIGHT TO WATER. WITHOUT WATER THERE IS NO LIFE”.

GERMAIN RUKUKI – BURUNDI

SENTENCED TO 32 YEARS IN PRISON FOR CAMPAIGNING FOR AN END TO TORTURE AND THE DEATH PENALTY

GERMAIN RUKUKI IS A HUMAN RIGHTS DEFENDER working for the Association des juristes catholiques du Burundi – AJCB, (Association of Catholic Jurists of Burundi). He previously worked for Action des chrétiens pour l’abolition de la torture – ACAT-Burundi, (Action by Christians for the Abolition of Torture) which works for the abolition of torture and the death penalty. ACAT-Burundi was suspended by the government in November 2015, as part of its clamp-down on civil society organisations.

On 13 July 2017, Germain was arrested without a warrant and held by the Service National de Renseignement – SNR, (National Intelligence Service), before being transferred to Ngozi Prison on 26 July 2017, where he has been held ever since. Germain was charged with “having participated in the killing of soldiers, police and civilians,” “carrying out an attack with the goal of changing the constitutional system,” “inciting citizens to arm themselves against the authority of the state,” “the destruction of public and private buildings,” “resistance to a ministerial order,” as well as having directly participated in “the erection of barricades, trenches or other structures designed to impede or halt the exercise of law enforcement”. He was also charged with having received funds from foreign organisations “which are likely to undermine the loyalty that citizens owe to the state and institutions of Burundi.”

During his trial, Germain became a symbol of the repression and judicial harassment faced by Burundian HRDs since the beginning of the crisis in April 2015. All of the judicial proceedings against him were marred by numerous irregularities. Following his initial arrest, Germain was illegally detained within the national intelligence premises (SNR) before being transferred to Ngozi prison and being brought to court. He faced systematic violations of his right to a fair trial including:

being tried behind closed doors within Ngozi prison; charges being presented at the last minute without corroborating evidence; and lawyers being prevented from accessing parts of the file. Neither Germain nor his lawyers were present while the sentence was read out. No concrete or convincing proof of his guilt was ever presented and foreign diplomats were prevented from observing the trial.

On 26 April, 2018, the Ntahangwa High Court sentenced Germain to 32 years in prison on charges of “rebellion,” “breach of state security,” “participation in an insurrectional movement” and “attack on the Head of State.”

The prosecution of Germain is taking place in the context of daily human rights violations committed by the Burundian authorities who are systematically targeting all human rights defenders in the country through the adoption of legislation aimed at controlling civil society organisations, enforced disappearances, arrests and illegal detention of HRDs, and the imposition of heavy sentences. In its report published on 5 September 2018, the United Nations Commission of Inquiry on Burundi describes “summary executions, arbitrary arrests and detentions, acts of torture and other cruel, inhuman or degrading treatment, sexual violence and forced disappearances”. The Commission also stated that “The fate of human rights defenders is a cause of serious concern, as indicated by the recent sentencing of Germain to 32 years in prison, following an unfair trial.”

On 26 November 2018, Germain appeared in court in Ngozi, before the Bujumbura Court of Appeal. No decision was made before the hearing was adjourned. Germain continues to be held in prison.



DURING HIS TRIAL GERMAIN RUKUKI BECAME A SYMBOL OF THE REPRESSION AND JUDICIAL HARASSMENT TARGETING BURUNDIAN HUMAN RIGHTS DEFENDERS SINCE THE BEGINNING OF THE CRISIS IN APRIL 2015.

TRAN THI NGA – VIETNAM

SENTENCED TO NINE YEARS IN PRISON PLUS FIVE YEARS HOUSE ARREST FOR DEFENDING THE RIGHTS OF MIGRANT WORKERS AND WOMEN’S RIGHTS

TRAN THI NGA IS A HUMAN RIGHTS DEFENDER and advocate for migrant workers, women’s rights, and the rights of the victims of the 2016 Formosa environmental disaster. She was arrested on 21 January 2017 and charged under Article 88 of the Vietnamese Penal Code with “using the Internet to spread propaganda videos and writings that are against the government of the Socialist Republic of Vietnam.” On 25 July 2017, the People’s Court in Ha Nam, south of Hanoi, sentenced Nga to nine years’ imprisonment, followed by an additional five years’ house arrest.

Her trial was closed to independent journalists and foreign diplomats. The defender’s husband and young children were not allowed to attend the trial, nor were activists who came to the province to support her. A large number of police officers and plainclothes agents were deployed around the court premises, and some supporters reported being physically accosted as they tried to approach the building.

Nga is from Ha Nam province in northern Vietnam and worked as a domestic labourer while a migrant in Taiwan. She suffered a traffic accident in 2005 and while convalescing, she became aware of the extent to which migrant workers were being exploited and denied their basic human rights. Following her return to Vietnam, she became an advocate for the rights of migrant labourers. She is a member of Vietnamese Women For Human Rights, a group that includes overseas Vietnamese wishing to lend support, training, and encouragement to those who stand up to defend human rights in Vietnam. Nga’s human rights work

has included providing assistance to victims of land appropriation by local authorities and supporting demonstrations calling for democratic reform.

Nga has been a frequent target of attack. On one occasion she suffered a broken leg when she was beaten by government supporters. On another occasion she was physically dragged off a bus by the police.

Nga was initially being held in Ha Nam province and her partner was later informed that she would be transferred to Dak Trung prison. However, when he travelled to Dak Trung prison he found out that Nga had been transferred a month previously to Gia Long province, which is over 1,000 km (620 miles) from Ha Nam province. He was not permitted to visit her there. Nga reported to her family that during her imprisonment in Gia Trung, she has been “terrorised, beaten, and threatened with death” by a fellow inmate. Prison officials have taken no action to protect Nga from these threats and it seems that Nga is being deliberately targeted to punish her for her activism. Gia Trung officials have repeatedly prevented Nga from seeing her family during their visits to the prison. The defender’s husband, children, and brother have been turned away on multiple occasions over the past three months, and the family has received no communication from her during that time.

Nga has two children, four and seven years old. Her home has been vandalised and her children have been attacked with food waste.



“I WAS ATTACKED BY PLAINCLOTHES POLICE OFFICERS. THEY USED METAL STICKS TO ATTACK ME WHEN I WAS HOLDING MY CHILD IN MY ARMS. THEY BROKE MY LEG AND CAUSED MANY WOUNDS ALL OVER MY BODY. I REPORTED THE INCIDENT TO THE POLICE DEPARTMENT AND THE SUPREME PEOPLE’S PROCURATOR. THEY TOLD ME: ‘BECAUSE YOU ADVOCATED FOR HUMAN RIGHTS THE POLICE HAVE RIGHTFULLY BEATEN YOU UP: IT IS UP TO THE STATE AND THE PARTY TO ADDRESS HUMAN RIGHTS ISSUES’”.